



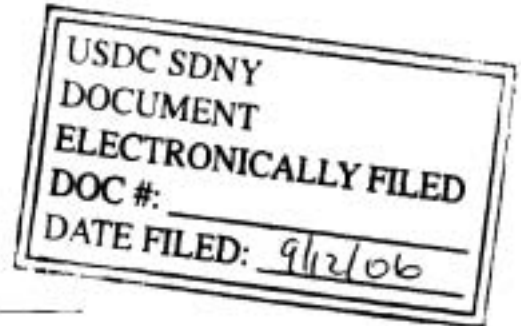
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September 8, 2006

MEMO ENDORSED

VIA FACSIMILE & REGULAR MAIL

Hon. Kenneth M. Karas
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007



Re: United States v. Douglas Shyne, et. al.
S4 05 Cr. 1067

Dear Judge Karas:

I am currently engaged in a trial in New York County Supreme Court. I have included an affirmation of engagement in this correspondence. On September 6, 2006, I faxed a letter to AUSA Perry to inform her of the situation and to request the government's position with respect to this application for waiver of defendant Nathaniel Alexander's appearance for the September 15, 2006 conference. I have enclosed a copy of my correspondence to the government. As of this date, I have not received a reply from the government.

At this time I am respectfully requesting that this Honorable Court waive Mr. Alexander's appearance for the upcoming conference since I will not be able to attend, and because Mr. Alexander has been physically present for all prior conferences here in the Southern District.

In the alternative, if the Court is not inclined to waive Mr. Alexander's appearance, it is respectfully requested that he be permitted to attend via teleconference.

Respectfully,

Michael Fineman, Esq. (MF-0282)

cc: AUSA Danya Perry (via facsimile)

~~The conference scheduled~~
The 9/15 conference was scheduled a long time ago, and with the consent of all counsel. Therefore, Mr. Fineman either must appear at the conference or have counsel not otherwise involved in this case appear on his behalf. Mr. Alexander's appearance is waived.
SO ORDERED

KENNETH M. KARAS U.S.D.J.
9/11/06